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Report Highlights:

Jamaica's biotechnology and bio-safety policies remain largely unchanged from 2006. The anticipated passage of the Biosafety Act -- which is necessary in establishing the legal framework for the ratification of the Cartagena Protocol on Biosafety-- was not realized. Throughout the year, work continued on transgenic papaya and Sea Island cotton at the laboratory level. The sections of the report that have been revised are: 2.1, 2.2, and 3.0.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Kingston [JM1]
[JM]

1.0 Executive Summary

Jamaica is an important market for U.S. bulk agricultural products (corn, rice and wheat), intermediate products (soybean meal and crude oil), and high value products (refined soybean oils, snack foods, etc), with a total value of approximately USD 255 million during calendar year 2006. In the future, imports of U.S. food and agricultural products will be influenced increasingly by the nature of Jamaica's biotechnology and bio-safety policies. As a party to the Convention on Biological Diversity and a signatory to the Cartagena Protocol on Bio-safety (CPB), Jamaica's biotechnology policies seek a balance between the economic benefits of genetic engineering and the preservation of biological diversity. Jamaica is currently developing legislation to ratify the CPB. The present regulatory framework governing the importation, development and use of the products of modern biotechnology is in the draft stage. Regulations for the importation of genetically modified organisms (GMO) for laboratory purposes are well established. Jamaica prohibits the commercial introduction of living modified organisms (LMO) into the natural environment.

2.0 Biotechnology Trade and Production

2.1 Production

There is no commercial production of transgenic (biotechnology) crops in Jamaica. The Biotechnology Center of the University of the West Indies continues work on developing transgenic variety of papaya (*Carica papaya* L.) that is resistant to the Papaya Ringspot Virus. Laboratory experiments are also being conducted to develop transgenic varieties of West Indian Sea Island Cotton (*Gossypium barbadense* L.) that are resistant to domestic plant pests. Jamaica's National Biotechnology Strategy extensively incorporates the potential to apply the tools of modern biotechnology to specific crops that are of economic importance to Jamaica, including hot pepper (*Capsicum chinense*), pumpkin (*Cucubita pepo* L.) and citrus (*Citrus sinensis*).

During the early to mid-1990's Jamaica's papaya industry experienced an intense resurgence of the Papaya Ring Spot Virus (PRSV), which devastated the industry and threatened the economic livelihood of farmers and others along the distribution chain. Cultivation of papaya in Jamaica is estimated to have declined under the attack of the PRSV from approximately 405 hectares in the early to mid-1990's to less than 180 hectares at present. Like other papaya producing territories, such as Hawaii, Thailand, Venezuela, and Brazil, where genetic resistance to the PRSV is not naturally available, Jamaica embarked on developing a transgenic variety resistant to the Jamaican isolate of the PRSV. The project adopted the concept of pathogen-derived resistance, using the coat protein gene of a mild mutant of the Jamaican PRSV.

The project progressed to the field trial stage, with transgenic lines of papaya that produced varying degrees of resistance to the PRSV. New gene constructs with the potential for elevated resistance are currently undergoing laboratory testing. However, analysis of the level of resistance and progress towards field trials are not publicly available. Jamaica's biotechnology and bio-safety environment does not presently accommodate the deregulation and commercialization of products of modern biotechnology in the country. This could partly be the influence of relatively low private sector interest in commercial agricultural biotechnology in Jamaica. The National Bio-safety Committee (NBC), the arm of the National Commission on Science and Technology that is mandated to regulate the development, import, handling, and production of Genetically Modified Organisms in Jamaica, continues to monitor greenhouse trials of the transgenic papaya. The attempt to develop transgenic varieties of Sea Island Cotton (*Gossypium barbadense* L.) that are resistant to domestic insect pests began in the Department of Basic Medical Science of the University of the West

Indies, during 2002. The project is in the laboratory stage and is being monitored by the NBC. Genetic research on scotch bonnet peppers, tomatoes and pumpkin remains as traditional selection. However, biotechnology is widely seen in the scientific community as a viable alternative to develop disease resistant and high-yielding varieties.

2.2 TRADE

Currently Jamaica has no regulations governing the importation of Living Modified Organisms (LMO) for animal feed or processing (such as grain corn and soybean), or high value products that are derived from GMOs (such as cooking oil). However, there are regulations governing the importation of LMOs for experimental purposes. The importation of LMOs for intentional commercial release into the natural environment is prohibited. Jamaica's draft Biosafety Policy and Act has not substantially progressed during 2007. The instruments, which were expected to be submitted to the political directorate during this year, remains as drafts with the respective technical agencies. The most optimistic projection is for a late 2008 submission. The biotechnology policy is also expected to follow a similar time line. While Jamaica intends to ratify the Cartagena Protocol on Biosafety (CPB), the national bio-safety act is necessary to establish Jamaica's legal framework to adopt the provisions of the protocol.

Jamaica's livestock industry continues to achieve increased efficiencies, partly due to the availability of low-priced, high-quality imported grains (corn and soybeans) from the United States. Currently there is no identity preservation (IP) program, or other regulations in Jamaica that requires the segregation of shipments of grains, or other bulk agricultural commodities into GMO-free products, or that establishes minimum tolerance levels for contamination. However, these issues will likely be addressed by the draft Biosafety Policy. Jamaica is also a beneficiary of food aid from the United States, typically in the form of wheat flour, soybean oil, cornmeal, and whole milk powder. At the retail level, processed products are not monitored or regulated for GMO content, despite calls from consumer groups for mandatory labeling of such products. Jamaica's draft National Bio-safety Policy is explicitly skewed towards mandatory labeling of products of modern biotechnology. This is a direct reflection of public opinion in Jamaica.

Under the Plants Quarantine Act, Jamaica has legislated the Plants (Importation) Control Regulations in 1997 to govern the importation of LMOs for the purpose of experimentation under controlled conditions. The regulations requires that all importers must apply to the National Bio-safety Committee for permission to import such products, and, upon approval, the application is submitted to the Plant Quarantine Division for granting of a permit by the Chief Plant Quarantine Officer. The NBC considers, chief among an array of variables, the importer's ability to enforce adequate procedures and safeguards to ensure that no contamination by or release of the plant, seed, cutting, or other plant parts, which is detrimental to the health or safety of any human, animal or other living organism will occur at the port of entry or in the country. In addition to very stringent stipulations on the physical characteristics of the packaging container, materials, and the size of the plant or plant part, the regulation requires that individual packages be labeled, indicating, inter alia: the content, place of origin, name and address of consignee and consignor, along with respective telephone numbers, a statement indicating that the propagative material is derived from genetic engineering procedures and possesses novel traits along with the notation " For experimentation purposes only, not for sale or reuse."

3.0 BIOTECHNOLOGY POLICIES

Jamaica is a party to the Convention on Biological Diversity (CBD), and is currently drafting a comprehensive biosafety-specific legislation and policy (National Biosafety Framework) to

support the ratification of the Cartagena Protocol on Bio-safety (CPB), and the full implementation of its relevant provisions. In accordance with the CPB, the draft National Bio-safety Framework focuses primarily on developing regulations to ensure adequate protection in the safe transfer (import, export and transit), handling, contained use, deliberate release or placing on the market of any LMOs that may have adverse effects on the conservation and sustainable use of biological diversity, taking into account risks to human health. The Framework specifically addresses LMOs for intentional introduction into the natural environment, and GMOs that are to be used directly for food, feed or processing, omitting pharmaceutical products and high-value products derived from GMOs.

Although the framework gives adequate consideration to the use of science-based risk assessment, given Jamaica's inherent lack of capacity in conducting frequent and adequate risk analysis, the implementation of the framework is expected to be heavily skewed towards adopting the precautionary principle, as is provided in Article 15 of the Rio Declaration on Environment and Development and reiterated in the CPB. In fact, Jamaica's draft National Biotechnology strategy accommodates risk analysis based on the precautionary principle. The Biosafety Policy and Act are expected to be legislated during early 2007 for ratification of the CPB during the same year.

Presently, Jamaica has a fragmented institutional structure for the regulation of activities and procedures relevant to biotechnology and bio-safety. The Ministry of Agriculture administers the Plant Quarantine and Animal (Disease and Importation) Acts, which are implemented respectively through the Plant Quarantine Division and the Veterinary Services Division to regulate the importation of plants and plant parts, and live animals and animal products, respectively. The National Environment and Planning Agency administers the Natural Resources and Conservation Act, which directly relates to the conservation and sustainable use of biological diversity. The Ministry of Health administers the Food and Drug Act; the Pharmacy Act; the Pesticides Act and the Public Health Act. The Ministry of Commerce, Science, and Technology administers the Standards Act, under which the labeling policies of the country are developed. The National Bio-safety and National Biotechnology Coordinating Committees are mandated to develop procedural guidelines for the importation, production, development and use of products of biotechnology in Jamaica, and advise the government on issues pertaining to biotechnology and bio-safety. The NBC also grants approval for the importation of LMOs for experimental purposes. The NBC is representative of a broad cross-section of the public and private sectors and civil society. Under the Bio-safety Strategy, there should be significant institutional rationalization to establish a Competent Authority and National Focal Point, pursuant to the obligations of the CPB. Further, the consideration for institutional amalgamation across the Caribbean Community (CARICOM) is explored in Jamaica's draft biotechnology strategy and could be one of the most effective methods of building scientific capacity within CARICOM.

Jamaica has shown commitment to the tenets of the CPB, including the Advance Information Agreement, which provides strict guidelines for the importation of LMOs for intentional release into the environment. Given that this is the greatest area of concern for member countries, Jamaica is expected to adopt, in full, the strict language of the CPB to govern such imports. The country has established a bio-safety clearing-house (BCH) and is actively exchanging pertinent information with other contracting parties. With respect to LMOs for feed, food or processing, the national strategy is also expected to reflect the text of the CPB.

While the CPB omits clear guidelines on the labeling of GMO, beyond the relevant categories of LMOs, labeling of products derived from genetic engineering remains one of the most contentious topics for consumers and consumer groups in Jamaica. The general consensus among consumer groups, policy makers, and scientists is to legislate mandatory labeling of all products derived from or containing products of genetic engineering, irrespective of the

extent of detectable modified DNA or protein. The National Bio-safety Framework is expected to reflect the desires of the populace, as far as this subject is concerned. The ratification of the CPB is high on Jamaica's list of priorities, especially due to the small size of the country, its rich biodiversity (ranking number five in the world among island states), the increasing emphasis on the nutraceutical industry, which depends on the country's unique biological resources and the preservation of endemic biological resources. In this context, the draft legislation and policies to support the ascension to membership of the CPB is expected to progress with some degree of urgency during 2008.

The field trial of transgenic papaya in Jamaica, the only transgenic product in the history of the country to progress to this stage, was limited to a one-acre plot located in the central region of the country. Though encouraging, that trial has yielded sub-optimal resistance for commercial production. New gene constructs are expected to be field tested over the short to medium-term. There are guidelines developed by the NBC to monitor the field-trial process. Jamaica does not, however, allow the field-testing of LMOs that are derived outside of the borders of the country. Further, from a marketing and scientific standpoint, Jamaica does not allow the coexistence of transgenic and conventional products. The NBC has established guidelines for minimum distance between transgenic varieties (trials) and other conventional products of the same genus. Apart from the scientific justification of not planting adjacent trial transgenic and conventional fields, Jamaica is concerned with any possible market repercussions in the European Union from its biotechnology program. In fact, the position adopted by Jamaican regulators, with respect to mandatory labeling of GMOs, is possibly influenced by existing European policies.

Jamaica's National Biotechnology Strategy emphasizes a balance between the economic benefits of biotechnology and any associated adverse effect to the conservation and sustainable use of biological diversity, taking into account risks to human health.

4.0 MARKET ISSUES

While the domestic media has resisted sensationalizing the consumption of genetically engineered products, consumer sentiments in other parts of the world, especially Europe, have been extended to Jamaican consumer. The Consumer Affairs Commission and the National Consumer League have repeatedly asserted their position of the mandatory labeling of products derived from GMO, in support of consumers right to full information to make informed purchasing decisions. Retailers, bulk commodity importers, and livestock farmers have shown the strongest support for GMOs in Jamaica. Their views are rationalized based on the price competitiveness and nutritional enhancement of GE products. The mandatory labeling of GE products should not significantly affect the imports of bulk agricultural commodities, if it is not associated with an identity preservation program. In the latter case this would increase the price of grains and animal feeds to the livestock sector. Given the importance of the livestock industry to Jamaica's agricultural sector and the political influence of the major players in the industry, an IP program is not anticipated in the legislation. On the retail side however, mandatory labeling of such products could produce a temporary response by consumers to products derived from GMO. The positive attitudes of Jamaican retailers and scientists towards products derived from GMO, and a relatively mature and diverse domestic media environment will help to reduce consumers' fears and anxieties. Further, the per capita income, and resultant price sensitivity of Jamaican consumers will not support the types of consumption patterns as observed in Europe and other developed territories.

5.0 CAPACITY BUILDING

Jamaica continues to build technical capacities in biotechnology through its academic programs and research centers. Further collaboration with international counterparts will assist the country in advancing its biotechnology agenda and realizing the associated socio-economic benefits. Expertise in the areas of biosafety risk analysis, traceability and testing are crucial to the country's biotechnology program. USDA's efforts in this respect have focused on biosafety risk analysis and information exchange at the government level.